

HOUSE No. 5044

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act amending the Charter of the Town of Eastham to Provide for the appointment of the Town Treasurer/Collector.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Sarah K. Peake	4th Barnstable

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act amending the Charter of the Town of Eastham to Provide for the appointment of the Town Treasurer/Collector.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. The charter of the town of Eastham, which is on file in the office of the archivist of the Commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended as follows:

1. Delete sections C3-8E and C3-8F in their entirety.
2. Re-designate sections C3-8G-H-I-J-K as sections C3-8E-F-G-H-I
3. In the introductory paragraph of section C4-4, in line 3 after the word, “applicable” insert the words, “Town Treasurer/Collector,” so that the paragraph reads as follows:

C4-4: The Town Administrator shall appoint, on the basis of merit and fitness alone, and may remove, except as otherwise provided by General Laws, this Charter, personnel bylaws, or collective bargaining agreements that may be applicable, a Town Treasurer/Collector, a Police Chief, a Fire Chief, a Town Accountant, and all other department heads, officers, subordinates and employees, full-and part-time excepting that:

4. Before the word, “All” in section C4-4D insert the words, “With the exception of the appointment of the Town Treasurer/Collector,” so that the section reads as follows:

C4-4D: With the exception of the appointment of the Town Treasurer/Collector, all appointments made or approved by the Town Administrator shall become effective no later than the 15th day following the day on which notice of the proposed appointment is filed with the Board of Selectmen, unless three members of the Board of Selectmen shall vote to reject such an appointment within such period.

27
28 5. To Section C4-4E add the following:
29

30 C4-4E: Appointment of the Town Treasurer/Collector shall become effective no later
31 than the 15th day following the day on which notice of the proposed appointment is filed
32 with the Finance Committee and the Board of Selectmen, unless five (5) members of the
33 Finance Committee and three (3) members of the Board of Selectmen shall vote to reject
34 such an appointment within such period.
35

36 Section 2. The initial appointment of the Town Treasurer/Collector shall take effect at the end of
37 the officer's term that ends at least one year after the above Charter amendments take effect.
38

39 Section 3. The following question shall be placed upon the official ballot and submitted to the voters of
40 the town of Eastham at the next annual or special town election: "Shall an act passed by the general court
41 in the year 2010 entitled 'An act amending the Charter of the Town of Eastham to Provide for the
42 appointment of the Town Treasurer/Collector' be accepted?" If a majority of the votes cast in answer to
43 the question is in the affirmative, this act shall take effect, but not otherwise.
44